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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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EMMITT LEWIS,

No. C 09-2357 WHA (PR)

Petitioner,

**ORDER REGARDING
APPLICATION TO
PROCEED IN FORMA
PAUPERIS**

vs.

LARRY SMALL, Warden,

Respondent.

/

15 On May 28, 2009, the court received two envelopes from petitioner, one containing a
16 petition for a writ of habeas corpus and the other an application to proceed in forma pauperis
17 ("IFP"). Two cases were opened. The IFP application was given case number C 09-2349
18 WHA (PR) and petitioner was sent a notice that he had not filed a petition or complaint and that
19 the application was not signed. The petition was given this case number, and petitioner was
20 sent a notice that he had not filed an IFP application.

21 In a contemporaneous order case number C 09-2349 WHA (PR) has been dismissed as
22 opened in error and the IFP application ordered to be filed in this case. That application,
23 however, still is deficient in that it is not signed. Petitioner shall file a new application,
24 properly signed and carrying the case number of this case, within thirty days of the date this
25 order is entered. He does not need to file another "Certification of Funds in Inmate Account,"
26 page five of the application, nor another printout of transactions in his account.

27

IT IS SO ORDERED.

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Dated: June 16, 2009.

WILLIAM ALSUP

UNITED STATES DISTRICT JUDGE